

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

Mar 17, 2022

SEAN F. McAVOY, CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CHARICE MARIE UNRUH,

Defendant.

No. 2:21-CR-00108-WFN-1

ORDER DENYING DEFENDANT'S
MOTION FOR
RECONSIDERATION OF
PRETRIAL RELEASE
CONDITIONS HEARING

ECF No. 27

On Thursday, March 17, 2022, the Court conducted a hearing on Defendant's Motion for Reconsideration of Pretrial Release Conditions (ECF No. 27). Defendant was represented by retained counsel, Bevan Maxey. Assistant United States Attorney Caitlin Baunsgard represented the United States.

The Court has considered the additional information and has evaluated the four factors outlined in 18 U.S.C. § 3142(g) to decide whether there are conditions of release that would reasonably assure Defendant's appearance in court and the safety of the community: (1) the nature and circumstances of the offense; (2) the weight of evidence against Defendant; (3) the history and characteristics of

1 Defendant; and (4) the nature and seriousness of the danger Defendant would
2 present to the community if released. The Court finds that these factors, as set
3 forth orally by the Court, weigh in favor of Defendant's continued detention.

4 Defendant requests release to a 30-day inpatient substance abuse treatment
5 program. Defendant has recently entered a guilty plea to Count 1 for Unlawful
6 Use of the U.S. Mail in this matter and in the plea agreement indicates she intends
7 to admit all seven pending violations of Defendant's federal supervised release in
8 Cause No. 2:16-cr-00028-WFN, The parties are jointly recommending a sentence
9 of 48 months incarceration and Defendant is set for sentencing on May 11, 2022.

10 As Defendant committed the instance offense while on supervision and Defendant
11 will have access to substance abuse treatment while serving out her anticipated
12 sentences, the Court concludes that release of the Defendant to inpatient treatment
13 prior to sentencing is not appropriate. If the sentencing schedule should change,
14 the Court would be open to revisiting the issue of detention.

15 The Court finds a preponderance of the evidence remains that there are no
16 conditions or combination of conditions other than detention that will reasonably
17 assure the appearance of Defendant as required, and furthermore by clear and
18 convincing evidence there are no conditions or combination of conditions other
19 than detention that will ensure the safety of the community.

20 **IT IS ORDERED:**

1 1. Defendant's Motion for Reconsideration of Pretrial Release
2 Conditions (**ECF No. 27**) is DENIED. Defendant shall remain held in detention
3 pending disposition of this case or until further order of the Court.

4 2. If a party seeks review of this Order by another court pursuant to 18
5 U.S.C. § 3145(b), counsel shall adhere to the Detention Order Review Protocol
6 found in LCrR 46(k).

7 DATED March 18, 2022.

8 s/James P. Hutton
9 JAMES P. HUTTON
 UNITED STATES MAGISTRATE JUDGE